

REMARKS

In view of the preceding amendments and the comments which follow, and pursuant to 37 C.F.R. § 1.111, amendment and reconsideration of the Official Action of May 11, 2005 is respectfully requested by Applicant.

Summary

Claims 1 – 3, 5, 6, 9 – 11 and 18 – 19 stand rejected. Claims 12 – 17 have been allowed. Claim 8 has been cancelled. Claims 1 – 3, 5, 6, and 9 – 19 are pending following consideration of the present amendments and remarks.

Foreign Priority

The Examiner indicated that the Certified Copy of the additional priority document (JP 2000-085287) appears in the Parent Application (No. 09/814,531) but not in the instant application. In order to satisfy the requirement of 37 CFR 1.55(a)(2), Applicants hereby identify the Parent Application (No. 09/814,531) as containing the Certified Copy of JP 2000-085287.

Information Disclosure Statement

Applicants are herewith providing in an accompanying document a corresponding First Supplemental Information Disclosure Statement (IDS), which includes a copy of a Japanese Office Action issued on May 12, 2004, and the references cited against the corresponding Japanese Application JP 2001 – 086261.

Allowable Subject Matter

The Examiner has indicated that Claims 12 – 17 have been allowed. Further, Claim 8 has been objected to because of a dependency on a rejected base Claim 1, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. As such, Applicants have rewritten Claim 1 by incorporating the limitations of Claim 8.

Therefore, Applicants submit that Claim 1 is now allowable, and so are all directly and indirectly dependent Claims 2, 3, 5, 6, 9 – 11 and 18 - 19.

Rejection under 35 U.S.C. § 103

The Examiner has also rejected Claims 1 – 3, 5, 6, 9 – 11, and 18 – 19 under 35 U.S.C. 103(a) as being unpatentable over Carey et al. (U.S. Patent No. 6,266,218) in view of Saito et al. (U.S. Patent No. 5,972,420) and Gill (U.S. Patent No. 6,275,363). Based on the above discussion of Allowable Subject Matter, Applicants submit these rejections are now moot, and respectfully request that these rejections under 35 U.S.C. §103(a) be withdrawn.

Conclusion

Applicants submit that this application is now in condition for allowance, and favorable reconsideration of this application in view of the above amendments and remarks is respectfully requested. A check corresponding to the fee for submitting the First Supplemental IDS is enclosed. If there are additional fees due, Applicants request that this paper constitutes any necessary petition and authorizes the Commissioner to charge any underpayment, or credit any overpayment, to Deposit Account No. 23-1925.

If the examiner finds that there are any outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact the undersigned attorney at the below listed number

Respectfully submitted,

Brinks, Hofer, Gilson & Lione

By



Anthony P. Curtis, Ph.D.
Registration No.: 46,193

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200